



PROGRAM ANALYSIS
DIVISION

UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

January 22, 1980

The Honorable Abraham Ribicoff
Chairman, Committee on Governmental
Affairs
United States Senate

Dear Mr. Chairman:

We prepared the enclosed information on the proposed Title V to S. 2627 the Reform of Federal Regulation Act of 1979, at the request of Mr. James Graham of the Governmental Affairs Committee staff. In enclosure I we have grouped programs that are covered by Title V by committee jurisdiction for your use in considering the workload that would result for Senate committees under the proposed Section 503. In enclosure II we compared the list of agencies in Section 503 with a comprehensive list of regulatory agencies we developed and published in 1978 for your committee.

I hope this information will help the committee in considering regulatory reform legislation. The Comptroller General is commenting separately on the general provisions of S. 2147. He has strong interest in the various oversight reform proposals before the Congress, and we shall continue to be available to assist in your deliberations.

Sincerely yours,

Harry S. Havens
Director



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(990515)

Workload Resulting from S. 262 Proposals

GAO's program inventory data base was used to prepare the breakdown of committee workload that would result from the proposed Title V of S. 262. The list identifies responsible Senate committees, and shows whether each program is now subject to reauthorization.

Because of the short time allowed for this compilation, and because we are now revising information as part of the budget cycle for Fiscal Year 1981, some specific points may not be current. However, we believe the aggregate compilation is a good reflection of the workload effects of the proposed Title V.

S. 262
Review
By

Now
Subject to
Reauthorization

Senate Agriculture, Nutrition and
Forestry Committee

Animal and Plant Health Inspection Service, USDA	1984	no
Federal Grain Inspection Service, USDA	1984	no
Agricultural Marketing Service, USDA	1984	no
Commodity Futures Trading Commission	1984	yes
Farm Credit Administration	1986	no
Forest Service, USDA	1986	no
Food Safety and Quality Service, USDA	1986	no
Commodity Credit Corporation, USDA	1986	yes
Agriculture Stabilization and Conservation Service, USDA	1986	no

Senate Banking, Housing, and Urban
Affairs Committee

Comptroller of the Currency (Department of Treasury)	1984	no
Office of Neighborhoods, Voluntary Associations, and Consumer Protec- tion, HUD	1984	no
Federal Deposit Insurance Corpora- tion	1984	no
Federal Home Loan Bank Board	1984	yes
National Credit Union Association	1984	no
Securities and Exchange Commission	1984	yes
Board of Governors, Federal Reserve System	1984	no

Senate Commerce, Science, and
Transportation Committee

Federal Communications Commission	1984	no
Federal Trade Commission	1984	yes
Interstate Commerce Commission	1986	no
National Oceanic and Atmospheric Administration, Department of Commerce	1986	no
Coast Guard, Department of Trans- portation	1986	yes
Federal Highway Administration, Department of Transportation	1986	see note 1

	<u>S. 262</u> <u>Review</u> <u>By</u>	<u>Now</u> <u>Subject to</u> <u>Reauthorization</u>
<u>Senate Commerce, Science and</u> <u>Transportation Committee</u> (Continued)		
Federal Railroad Administration,	1986	no
Department of Transportation		
Materials Transportation Bureau,	1986	yes
Department of Transportation		
National Highway Traffic Safety	1986	yes
Administration, Department of		
Transportation		
Bureau of Trade Regulation,	1986	no
Department of Commerce		
Consumer Product Safety Commission	1988	yes
Federal Aviation Administration,	1990	no
Department of Transportation		
Federal Maritime Commission	1992	no
<u>Senate Finance Committee</u>		
Office of Pension and Welfare Plans	1990	no
Department of Labor		
Employee Plans Division, Internal	1990	no
Revenue Service, Department of		
Treasury		
<u>Senate Governmental Affairs Committee</u>		
Federal Supply Service, General	1992	no
Services Administration		
U.S. Postal Service	1992	no
<u>Senate Energy and Natural Resources</u> <u>Committee</u>		
Geological Survey, Department of	1986	no
Interior		
Bureau of Indian Affairs, Department	1986	no
of Interior (shared jurisdiction)		
Office of Surface Mining and	1986	no
Reclamation, Department of Interior		
Bureau of Land Management, Department	1986	yes
of Interior		
Economic Regulatory Administration.	1992	yes
Department of Energy		
Federal Energy Regulatory Commission,	1992	yes
Department of Energy		

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Senate Judiciary Committee

Drug Enforcement Administration, Department of Justice	1988	yes
Immigration and Naturalization Service, Department of Justice	1988	yes
Equal Employment Opportunities Commission (shared jurisdiction)	1988	no
Bureau of Alcohol, Tobacco, and Firearms, Department of Treasury	1990	no

Senate Human Resources Committee

Food and Drug Administration, Department of Health, Education, and Welfare	1988	no
Equal Employment Opportunities Commission (shared jurisdiction)	1988	no
National Labor Relations Board	1990	no
Mine Safety and Health Administra- tion, Department of Labor	1990	no
Occupational Safety and Health Administration, Department of Labor	1990	no
Employment Standards Administration, Department of Labor	1990	no

Senate Environment and Public
Works Committee

Fish and Wildlife Service, Department of Interior	1986	no
Environmental Protection Agency	1988	yes see note
Nuclear Regulatory Commission	1992	yes

Senate Select Committee on
Indian Affairs

Bureau of Indian Affairs, Department of Interior, (shared jurisdiction)	1986	no
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NOTES

1. The key Interstate Highway Program is subject to reauthorization, but other highway programs are authorized indefinitely.
2. The Environmental Protection Agency administers programs under several different basic laws, most of which are subject to reauthorization.

Federal Regulatory Agencies

The proposed Section 503 of S. 262 contains most agencies and bureaus with major regulatory responsibility listed in the 1978 GAO report Federal Regulatory Programs and Activities (PAD-78-33, March 16, 1978). GAO's list is divided into five groups because agencies have different kinds of regulatory powers and functions. S. 262 includes over 90 percent of the agencies and bureaus listed by GAO in the two groups with major regulatory responsibilities, but contains fewer of the agencies listed by GAO as having specialized or indirect regulatory effects. Detailed comparisons between S. 262 and the five GAO groups are included in this enclosure.

GAO prepared its list of regulatory agencies at the request of the Chairman, Subcommittee on Intergovernmental Relations, Senate Committee on Governmental Affairs. Several sources were used to prepare the list, and are described on pages 3 and 4 of the report. In preparing the list, GAO discovered no unified source of information on all regulatory legislation and related programs and activities. GAO concentrated on identifying the major regulatory programs, but some activities that could be considered regulatory may not have been included because of differences in judgment and difficulties in information collection and definition. We performed some research to identify agencies created since the 1978 report, but found no new regulatory activities to add to the list. Of the agencies contained in S.262, only the Office of Surface Mining Reclamation and Enforcement was not on GAO's list.

The following sections compare in detail the agencies listed in S. 262 proposals with the five groups in the GAO report.

GROUP I

This group includes independent regulatory commissions and regulatory agencies outside the executive departments.

These agencies have authority to set rates, issue permits, require disclosure of information, set safety requirements, or approved hiring and promotion practices.

Some of these agencies have program responsibilities outside the area of regulation. For example, the Environmental Protection Agency has authority to grant funds for waste disposal and anti-air pollution projects, etc.

Total Number of Agencies in Group I - 23

Number of Group I Agencies in Section 503, S. 262--20

Board of Governors of the Federal Reserve System
Commodity Futures Trading Commission
Consumer Product Safety Commission
Energy Research and Development Administration *
Environmental Protection Agency
Equal Employment Opportunity Commission
Farm Credit Administration
Federal Communications Commission
Federal Deposit Insurance Corporation
Federal Energy Administration *
Federal Home Loan Bank Board:
 Federal Savings and Loan Insurance Corporation
Federal Maritime Commission
Federal Power Commission *
Federal Trade Commission
Interstate Commerce Commission
National Credit Union Administration
National Labor Relations Board
Nuclear Regulatory Commission
Securities and Exchange Commission
U.S. Postal Service

* Superceeded by Department of Energy activities included in S. 262.

Number of Group I Agencies not in Section 503, S. 262 - 3

Civil Aeronautics Board
Occupational Safety and Health Review Commission
U.S. Civil Service Commission*

* Civil Service Commission was replaced by new agencies.

GROUP II

This group includes bureaus and bureau offices with major regulatory responsibilities within Executive departments. However, not all of the activities of these agencies are wholly regulatory. For example, the Federal Aviation Administration sets standards for air worthiness of planes, performance requirements for pilots and mechanics, and airport design; but it is also responsible for air traffic control and management of the Nation's airways, which is more of an operational than a regulatory program. Other examples of agencies in this class are the Coast Guard (which sets marine safety standards in addition to patrolling waterways and maintaining navigation aids) and the Drug Enforcement Administration (which classifies controlled substances and licenses manufacturers of legal drugs in addition to enforcing criminal sanctions against illegal drug importers and traffickers).

Total Number of Agencies in Group II - 38

Number of Group II Agencies in Section 503, S. 262 - 26

Department of Agriculture

Agricultural Marketing Service
Agricultural Stabilization and Conservation Service
Animal and Plant Health Inspection Service
Federal Grain Inspection Service
Food Safety and Quality Service
Packers and Stockyards Administration*

Department of Commerce

National Oceanic and Atmospheric Administration

Department of Health, Education, and Welfare

Public Health Service
Food and Drug Administration

Department of Housing and Urban Development

Office for Consumer Affairs and Regulatory Functions**

Department of the Interior

Mining Enforcement and Safety Administration***
U.S. Fish and Wildlife Service

Department of Justice

Drug Enforcement Administration
Immigration and Naturalization Service

Department of Labor

Employment Standards Administration:
Office of Workers' Compensation Programs
Labor Management Services Administration
Occupational Safety and Health Administration

Department of Transportation

Coast Guard
Federal Aviation Administration
Federal Highway Administration
Federal Railroad Administration
Materials Transportation Bureau
National Highway Traffic Safety Administration

Department of the Treasury

Bureau of Alcohol, Tobacco and Firearms
Comptroller of the Currency
Internal Revenue Service

General Services Administration

Federal Supply Service

*now part of the Agricultural Marketing Service
**renamed Office of Neighborhoods, Voluntary
Associations, and Consumer Protection
***transferred to Department of Labor

Number of Group II Agencies not in S. 262 - 12

Department of Agriculture

Foreign Agricultural Service

Department of Defense

Army Corps of Engineers

Department of Health, Education, and Welfare

Office for Civil Rights
Public Health Service
Center for Disease Control

Department of Housing and Urban Development

Office for Fair Housing and Equal Opportunity

Department of Justice

Civil Rights Division
Law Enforcement Assistance Administration:
Office of Civil Rights Compliance
National Criminal Justice Information Statistics
Service

Department of State

Bureau of Consular Affairs:
Passport Office
Visa Office
Bureau of Politico-Military Affairs:
Office of Munitions Control
Consular Offices

Department of the Treasury

Customs Service

GROUP III

This group consists of agencies having authority to investigate and make recommendations. They are supportive of the regulatory process but do not have final regulatory authority.

Total Number of Agencies in Group III - 7

Number of Group III Agencies in Section 503, S. 262 - 0

Commission on Civil Rights
International Trade Commission
National Transportation Safety Board
Postal Rate Commission

Department of Commerce

National Bureau of Standards
Institute for Basic Standards
Institute for Materials Research
Institute for Applied Technology

Department of Justice

Community Relations Service

Department of the Treasury

Office of Tariff Affairs

GROUP IV

This group includes agencies which can be considered to have some impact on sectors of the private economy through the scope of their operating programs. For example, the Social Security Administration influences design and operation of almost all medical care institutions through its medicare program; and Federal Housing Administration, through its insurance program, influences housing design, construction, and mortgage standards. The Forest Service is included because of its responsibilities for determining amounts of land eligible for harvest by the private sector.

Total Number of Agencies in Group IV - 16

Number of Group IV Agencies in Section 503, S. 262 - 3

Department of Agriculture

U.S. Forest Service

Department of the Interior

Bureau of Land Management
U.S. Geological Survey

Number of Group IV Agencies not in Section 503, S. 262 - 17

Department of Agriculture

Farmers Home Administration
Food and Nutrition Service

Department of Commerce

Economic Development Administration
Maritime Administration
Patent Office

Department of Health, Education, and Welfare

Office of Human Development
Social Security Administration

Department of Housing and Urban Development

Federal Housing Administration
Federal Insurance Administration*

Department of the Interior

Bureau of Reclamation

Department of Justice

Antitrust Division
Public Safety Officers' Benefits Program

Department of Transportation

Urban Mass Transportation Administration

*Functions transferred to Federal Emergency
Management Agency

GROUP V

This group includes specialized agencies which have a substantial impact on certain geographic regions, specialized industry sectors, or specific groups of people. Included are the power administrations, which propose hydroelectric power rates in their specific regions, and the Small Business Administration, which licenses small business and minority business investment companies.

Total Number of Agencies in Group V - 20

Number of Group V Agencies in Section 503, S. 262 - 3

Department of Agriculture

Commodity Credit Corporation

Department of Commerce

Foreign Trade Zones Board

Department of the Interior

Bureau of Indian Affairs

Number of Group V Agencies not in Section 503, S. 262 - 17

Appalachian Regional Commission
Architectural and Transportation Barriers Compliance Board
Cost Accounting Standards Board
Delaware River Basin Commission
National Mediation Board
Office of Telecommunications Policy*
Pensions Benefit Guaranty Corporation
Railroad Retirement Board
Small Business Administration
Susquehanna River Basin Commission
Tennessee Valley Authority
Veterans Administration

Department of Energy

Alaska Power Administration
Bonneville Power Administration
Southeastern Power Administration
Southwestern Power Administration

Department of Transportation

St. Lawrence Seaway Development Corporation

*Functions transferred to Department of Commerce

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